

REMARKS

Reconsideration of the application in view of the present amendment is respectfully requested.

With the present amendment, the specification has been amended to correct a typing error therein. Claims 1 and 4 have been amended to eliminate an alleged indefiniteness therein. Claim 1 has also been amended to more clearly define the present invention.

Based on the foregoing amendments and the following remarks the application is deemed to be in condition for allowance, and action to that end is respectfully requested.

I. Rejection Under 35 U.S.C. § 112

The Examiner rejected claims 1-4 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite, pointing out specific language in claims 1 and 4 rendering these claims and claims dependent thereon indefinite. As noted above, claims 1 and 4 have been amended to eliminate the alleged indefiniteness therein.

Specifically, claim 4 has been amended to recite that the labyrinth seal is located between the bearing seat and a housing portion that defines the shaft

clearance. It is further respectfully submitted that the language “the bearing seat” in line 8 of claim 1 is not indefinite as the antecedent for this language is provided by the preamble of claim 1 which recites “a device for feeding oil to a seat of a bearing.”

It is respectfully submitted that claim 1-4 comply with all of the requirements of 35 U.S.C. § 112.

II. Rejection Over the Prior Art

The Examiner rejected claims 1-4 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,693,217 (Erdmannsdoerfer, et al.) and French Patent No. 892,490 (FR’ 490). It is respectfully submitted that claims 1-4 are patentable over the cited references.

Specifically, claim 1 recites an oil pump (8) having two spindles (10, 11) which have oppositely extending, respectively, feeding channels forming inlet channels of the oil pump, with at least one of the two spindles being immersed in oil in any position of the shaft. Thereby, feeding of oil to the bearing seat is insured in all positions of the shaft.

The foregoing novel features of the present invention are not disclosed or suggested in the prior including Erdmannsdoerfer and FR '490. Erdmannsdoerfer does not disclose a device for feeding oil to a bearing seat of a rotatable shaft and for that reason alone is not believed pertinent to the present invention.

Erdmannsdoerfer discloses a circuit for cleaning the oil and maintaining a correct pressure of oil. There is no suggestion whatsoever in Erdmannsdoerfer that the oil is used for lubricating any bearing in the centrifuge. Further, Erdmannsdoerfer does not disclose a pump having two spindles with oppositely extending feeding channels that form inlet channels.

A rejection based on U.S.C. § 102 as in the present case, requires that the cited reference disclose each and every element covered by the Claim. Electro Medical Systems S.A. v. Cooper Life Sciences, 32 U.S.P.Q. 2d 1017, 1019 (Fed. Cir. 1994); Lewmar Marine Inc. v. Barient Inc., 3 U.S.P.Q. 2d 1766, 1767-68 (Fed. Cir. 1987); Verdegaal Bros., Inc. v. Union Oil Co., 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). The Federal Circuit has mandated that 35 U.S.C. § 102 requires no less than “complete anticipation . . . [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim.” Connell v. Sears, Roebuck & Co., 220 U.S.P.Q. 193, 198 (Fed. Cir. 1983); See

also, Electro Medical Systems, 32 U.S.P.Q. 2d at 1019; Verdegaal Bros., 2 U.S.P.Q. 2d at 1053.

It is respectfully submitted that Erdmannsdoerfer does not disclose an oil feeding device as claimed. Since Erdmannsdoerfer fails to disclose each and every feature of independent Claim 1, Erdmannsdoerfer, as a matter of law, does not anticipate the present invention, as defined by said independent claim.

In view of the above, it is respectfully submitted that Erdmannsdoerfer does not anticipate or make obvious the present invention as defined in Claim 1, and the present invention is patentable over Erdmannsdoerfer.

FR '490 likewise does not disclose the present invention, as defined by claim 1. Specifically, FR '490 does not disclose a pump the two spindles of which have respective oppositely extending channels forming inlet channels of the pump. The pump in FR '490 is designed for transferring oil from one reservoir (21) in another reservoir (12). FR '490 does not show a pump opposite spindle of which are immersed in oil alternatively or together.

In view of the above, it is respectfully submitted that FR '490 likewise does not anticipate or makes obvious the present invention, as defined by claim 1, and claim 1 is patentable over FR '490.

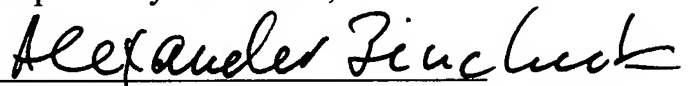
Claims 2-4 depend on claim 1 and are allowable as being dependent on an allowable subject matter.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction to be carried out by Examiner's amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,



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